

PRIVATE PROCESS

SUBPOENA
DUCES TECUM

2013CI18355 -S00018

NO. 2013-CI-18355

HELVETIA ASSET RECOVER INC
VS.
BURTON KAHN ET AL

IN THE DISTRICT COURT
37th JUDICIAL DISTRICT
BEXAR COUNTY, TEXAS

"THE STATE OF TEXAS"

TO ANY PEACE OFFICER, SHERIFF, CONSTABLE OF THE STATE OF TEXAS OR
OTHER PERSON AUTHORIZED TO SERVE AND EXECUTE SUBPOENAS:

YOU ARE HEREBY COMMANDED TO SUMMON: LISA BARKLEY
112 E PECAN 1200 SAN ANTONIO TX 78205

IF TO BE FOUND IN YOUR COUNTY, TO BE AND APPEAR ON THE 20th DAY OF August A.D., 2014, AT
9:00 O'CLOCK A.M., BEFORE OUR HONORABLE DISTRICT COURT, OF THE PRESIDING JUDICIAL DISTRICT,
ROOM 109, IN AND FOR THE COUNTY OF BEXAR, AT THE COURTHOUSE THEREOF, IN THE CITY OF SAN ANTONIO,
THEN, AND THERE TO GIVE EVIDENCE IN THE ABOVE STYLED AND NUMBERED CASE THEREIN ON BEHALF OF THE
PROPIA PERSONA AND THERE REMAIN FROM DAY TO DAY AND TERM TO TERM THEREOF UNTIL DISCHARGED
BY THE PROCESS OF LAW. SAID ABOVE NAMED WITNESS IS FURTHER COMMANDED TO PRODUCE AT SAID TIME AND PLACE
ABOVE SET FORTH THE FOLLOWING BOOKS, PAPERS, DOCUMENTS OR OTHER TANGIBLE THINGS, TO-WIT:
SEE ATTACHMENT

HEREIN FAIL NOT, BUT OF THIS WRIT MAKE DUE RETURN.

FAILURE BY ANY PERSON WITHOUT ADEQUATE EXCUSE TO OBEY A SUBPOENA SERVED UPON THAT PERSON MAY BE DEEMED A CONTEMPT OF THE COURT FROM WHICH THE SUBPOENA IS ISSUED OR A DISTRICT COURT IN THE COUNTY IN WHICH THE SUBPOENA IS SERVED, AND MAY BE PUNISHED BY FINE OR CONFINEMENT, OR BOTH.

WITNESS DONNA KAY MCKINNEY CLERK OF THE DISTRICT COURTS OF BEXAR COUNTY, TEXAS, THIS
THE 8th DAY OF August, 2014.BURTON KAHNATTORNEY FOR PROPIA PERSONA
1706 ALPINE CIR
SAN ANTONIO, TX 78248-2104DONNA KAY MCKINNEY
DISTRICT CLERK OF BEXAR CO., TEXASBY: Lisa Morales DEPUTY

LISA MORALES

RETURN

CAME TO HAND ON THE DAY OF A.D., AT O'CLOCK .M. AND EXECUTED
(NOT EXECUTED) ON THE DAY OF A.D., BY DELIVERING TO
IN PERSON, A TRUE COPY OF THIS SUBPOENA UPON WHICH I ENDORSED THE DATE OF DELIVERY. CAUSE OF FAILURE TO
EXECUTE THIS SUBPOENA IS .

TOTAL FEES: _____

Badge/PPS #: _____

COUNTY, TEXAS

BY _____

NON-PEACE OFFICER VERIFICATION

VERIFICATION OF RETURN (IF NOT SERVED BY PEACE OFFICER)
SWORN TO THIS DAY OF , .

EXHIBIT 5

NOTARY PUBLIC, STATE OF TEXAS
RETURN TO COURT (DK018)

EXHIBIT "A"

DOCUMENTS AND ITEMS TO BE PRODUCED

Lisa Barkley is an attorney for Helvetia and/or Puerto Verde limited is signor of the frivolous filing and is now subject to monetary sanctions. The information requested is to ensure that if the court finds against Lisa Barkley then she will be able to pay sanctions.

Documents (including emails and electronic records)

Please provide the specified records for inspection and copying:

1. All bank account statements, from all financial institutions, in Your name, Your Husband or Wife or significant other's name, or both, including pages of the statements showing account balances for the last 90 days.
2. The warranty deed, or other conveyance instrument, to or for the Residence.
3. The note, promissory note, deed of trust, and mortgage relating to the Residence.
4. The warranty deed, or other conveyance instrument indicating title to any and all teal property owned by You, Your Husband or Wife or significant other, or both, other than the Residence.
5. The note, promissory note, deed of trust, and mortgage relating to the real property referred to in No. 4.
6. Stock certificates and other indicia of shares or ownership or interest held by You, Your Husband or Wife or significant other, or both, in any business in which You, Your Husband or Wife or significant other, or both have an interest, including but not limited to Joabert Development Company, and Texas PMR .
7. All jewelry, including but not limited to watches, and portable art (art of a size that it may be transported in your vehicle to the deposition) owned by You, Your Husband or Wife or significant other, or both.
8. All statements for the past three months for all pensions, 401 k plans, retirement plans of any nature, annuities, or any other account or source that has or could pay or provide monies to You, Your Husband or Wife or significant other, or both.
9. All tax returns for You, Your Husband or Wife or significant other, or both, for the years 2012, and 2013, including but not limited to federal income tax returns.
10. Documents from the Social Security office showing the amount of social security benefits You have received in the last 90 days.
11. The title to all automobiles, trucks, vehicles, trailers, or heavy equipment in the name of You, Your Husband or Wife or significant other, or both, or in the name of any of the businesses identified in No. 6 above.
14. Any and all bank statements for the years 2013 and 2014 for all accounts that are maintained, or were maintained at any time during that period, in any and all financial

institutions, by LISA BARKLEY,, and/or any entity which either owned or in which either held a financial interest. These accounts include but are not limited to the following accounts:

Randolph Brooks Federal Credit Union, Chase Bank, Bank of America, Frost Bank, IBC

15. All bank statements and worksheets that relate to the allegation that Burton Kahn has diverted over \$1 Million from Helvetia by misapplying the trust funds that Burton Kahn were entrusted.

16. All statements from 2013 to the present for any and all credit or debit cards held or used by LISA BARKLEY, and/or any entity which either owned or have use in which either held a financial interest at any time during that period, regardless of the name on the account.

17. All prenuptial and post-nuptial agreements between LISA BARKLEY and Husband or Wife or significant other.

18 All agreements, contracts, loan agreements or documents, notes or any other document evidencing any borrowing or loaning of monies or funds to or from LISA BARKLEY, or to or from. This request extends to family members and friends of LISA BARKLEY and, and also includes any such documents between LISA BARKLEY and any others.

EXHIBIT "A"

DOCUMENTS AND ITEMS TO BE PRODUCED

Documents (including emails and electronic records) previously produced are not needed if a list of such documents is emailed to Burton Kahn 3 days prior to hearing for verification.

Please provide the specified records for inspection and copying:

1. All bank account statements, from all financial institutions, in Your name, Your Husband or Wife or significant other's name, or both, including pages of the statements showing account balances for the last 90 days.
2. The warranty deed, or other conveyance instrument, to or for the Residence.
3. The note, promissory note, deed of trust, and mortgage relating to the Residence.
4. The warranty deed, or other conveyance instrument indicating title to any and all real property owned by You, Your Husband or Wife or significant other, or both, other than the Residence.
5. The note, promissory note, deed of trust, and mortgage relating to the real property referred to in No. 4.
6. Stock certificates and other indicia of shares or ownership or interest held by You, Your Husband or Wife or significant other, or both, in any business in which You, Your Husband or Wife or significant other, or both have an interest, including but not limited to Contour Construction and Land Corporation, Joabert Development Company, Ideal Travel Concepts of San Antonio, Paradiv Corporation, and Trail Construction Co.
7. All jewelry, including but not limited to watches, and portable art (art of a size that it may be transported in your vehicle to the deposition) owned by You, Your Husband or Wife or significant other, or both.
8. All statements for the past three months for all pensions, 401 k plans, retirement plans of any nature, annuities, or any other account or source that has or could pay or provide monies to You, Your Husband or Wife or significant other, or both.
9. All tax returns for You, Your Husband or Wife or significant other, or both, for the years 2008, 2009, 2010, 2011, and 2012, including but not limited to federal income tax returns.
10. Documents from the Social Security office showing the amount of social security benefits You have received in the last 90 days.
11. The title to all automobiles, trucks, vehicles, trailers, or heavy equipment in the name of You, Your Husband or Wife or significant other, or both, or in the name of any of the businesses identified in No. 6 above.
12. All cell phone bills and records for the last 6 months, including but not limited to records of all incoming and outgoing calls, for Your phone.
13. All documents (including emails and electronic records) not previously produced that

discuss, refer, or relate to any of the following:

Robert Ripley
John Ripley
Burton Kahn
Joabert Development Company ("Joabert")
Helvetia Asset Recovery, Inc. ("Helvetia")
Puerto Verde Ltd. ("PVL")
Key Largo
The Bahamas
Canada

14. Any and all cell or mobile telephone records or statements showing calls made or received by the witness at any time from January 1, 2013 to the present.

15. Any and all laptop computers, notebook computers, iPads, tablets, and cell or mobile telephones held, owned or in the possession, custody or control of the witness.

16. Any and all bank statements for the years 2013 and 2014 for all accounts that are maintained, or were maintained at any time during that period, in any and all financial institutions, by LISA BARKLEY, , and/or any entity which either owned or in which either held a financial interest. These accounts include but are not limited to the following accounts:

Randolph Brooks Federal Credit Union

Chase Bank

IBC

17. All bank statements and worksheets that relate to the allegation that Burton Kahn has diverted over \$1 Million from Helvetia by misapplying the trust funds that Burton Kahn was entrusted.

18. All statements from 2013 to the present for any and all credit or debit cards held or used by LISA BARKLEY, and/or any entity which either owned or have use in which either held a financial interest at any time during that period, regardless of the name on the account.

19. All prenuptial and post-nuptial agreements between LISA BARKLEY and Husband or Wife

or significant other.

20. All agreements, contracts, loan agreements or documents, notes or any other document evidencing any borrowing or loaning of monies or funds to or from LISA BARKLEY, or to or from . This request extends to family members and friends of LISA BARKLEY and , and also includes any such documents between LISA BARKLEY and any others.

21. To the extent any of the documents or records requested below are electronic, please produce that information in paper *format*.

22. The complete, original and official minute book for Helvetia Asset Recovery, Inc. ("Helvetia").

All Helvetia board resolutions.

All Helvetia shareholder resolutions.

All Helvetia stock certificates issued by any one at any lime.

All Helvetia stock certificates that have been canceled.

All Helvetia stock certificates that have been transferred.

All documents or records evidencing payment or other consideration given in exchange for Helvetia stock certificates.

23. The complete, original and official minute book for Puerto Verde Ltd. Asset Recovery, Inc. ("PVL").

All Puerto Verde Ltd. board resolutions.

All Puerto Verde Ltd. shareholder resolutions.

All Puerto Verde Ltd. stock certificates issued by any one at any lime.

All Puerto Verde Ltd. stock certificates that have been canceled.

All Puerto Verde Ltd. stock certificates that have been transferred.

All documents or records evidencing payment or other consideration given in exchange for Puerto Verde Ltd. stock certificates.

24. All documents or records that support or tend to support the contention that LISA BARKLEY owns, controls, or holds stock in Helvetia or Puerto Verde Ltd..
25. All documents or records that support or tend to support the contention that any entity owned or controlled by LISA BARKLEY owns, controls, or holds stock in Helvetia
26. Contract between LISA BARKLEY and Haynes and Boone law firm.
27. Contract between Haynes and Boone and Helvetia and or PVL and or John Ripley and or Robert Ripley and or Joabert Development Company.
28. Documents or records that evidence all corporate acts by Helvetia from 2007 to the present.
29. Closing statements of all sales of lots at Key Largo Subdivision
30. All documents or records reflecting any loans, note payables, promissory notes, or other payment obligations by Helvetia from 2007 to the present, and all documents or records evidencing payments of or towards any such payment obligations.
31. All documents relating to any accounts, including any banking or saving accounts, in which Helvetia, LISA BARKLEY, or any entity owned or controlled by LISA BARKLEY, has made any deposits or withdrawals from September 2012 to the present. This includes all current statements of account, bank statements, check copies, deposit slips, and signature cards.
32. All Helvetia tax returns and all other tax filings, from 2007 to the present, including but not limited to federal income tax returns, employment tax filings, franchise tax returns, other state tax returns, and tax return extensions.
33. All documents or records between Helvetia and any taxing authority, including but not limited to the IRS, from 2007 to the present.

34. All of Helvetia's general ledgers from 2007 to the present.
35. All of Helvetia's check registers from 2007 to the present.
36. All of Helvetia's monthly, quarterly and annual financial statements from 2007 to the present, including but not limited to balance sheets, income statements, statements of changes in shareholder equity, and cash flow statements.
37. All warranty deeds executed by LISA BARKLEY, in any capacity, from 2007 to the present.
38. All documents relating to any property in which LISA BARKLEY, or any company or entity owned or controlled by LISA BARKLEY, claims to have an interest.
39. All credit card billings and records for Helvetia from 2007 to the present.
40. All documents relating to any company that has in its name the word "Helvetia," "Joabert," or "Royal Crest." This includes all checking accounts, savings accounts, articles of incorporation, share certificates and minute books, tax returns (both Federal and state), and filings with the Secretary of State.
41. All documents evidencing communications between LISA BARKLEY and Terry George. This includes, but is not limited to, all documents evidencing payment of any funds, the source from which those funds were paid, all fee agreements, retainers, e-mails and correspondence. To the extent any of this information is claimed to be privileged, you are to appear with a copy that can be generally described, placed in a sealed envelope, and provided to the Court by the court reporter.
42. All documents evidencing or relating in whole or in part to a transfer of sale or encumbrance of any property, real or personal, by LISA BARKLEY or any entity owned controlled by her, in the last 24 months.